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18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20 KELSY ARLITZ, individually; GARY
21 ARLITZ, as general guardian of ward KELSY
22 ARLITZ; KARIE ARLITZ, as general
23 guardian of ward KELSY ARLITZ,

24 Plaintiffs,

25 v.

26 GEICO CASUALTY COMPANY; DOES 1
27 through 100 and ROE CORPORATIONS 1
28 through 100, inclusive,

Defendants.

Case No. 2:19-cv-00743-CDS-DJA

**JOINT REQUEST AND STIPULATION,
AND PROPOSED ORDER, TO
CONTINUE MANDATORY
SETTLEMENT CONFERENCE
PENDING A VOLUNTARY
SETTLEMENT CONFERENCE WITH
RETIRED JUSTICE NANCY M. SAITTA**

Case No. 2:19-cv-00743-CDS-DJA

JOINT REQUEST AND STIPULATION, AND PROPOSED ORDER, TO CONTINUE MANDATORY
SETTLEMENT CONFERENCE PENDING VOLUNTARY SETTLEMENT CONFERENCE WITH RETIRED
JUSTICE NANCY M. SAITTA

1 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs KELSY
 2 ARLITZ, individually; GARY ARLITZ, as general guardian of ward KELSY ARLITZ, and KARIE
 3 ARLITZ, as general guardian of ward KELSY ARLITZ, through their counsel of record, PRINCE
 4 LAW GROUP, and Defendant GEICO CASUALTY COMPANY, through its counsel of record,
 5 McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP and MUNGER, TOLLES
 6 & OLSON, LLP, as follows:

7 WHEREAS, on August 08, 2023, the Court ordered “that the parties are to attend a
 8 settlement conference before the magistrate judge assigned to this case. Should they fail to settle all
 9 of the issues headed for trial, they must file a joint pretrial order in accordance with the local rules
 10 of this district no later than 14 days after the final settlement conference.”

11 WHEREAS, on August 14, 2023, the Hon. Magistrate Judge Albregts set a settlement
 12 conference for September 21, 2023, at 10:00 A.M.

13 WHEREAS, the parties have previously attended two settlement conferences in this case
 14 with Retired Nevada Supreme Court Justice Nancy M. Saitta acting as mediator;

15 WHEREAS, the parties believe that, given Justice Saitta’s familiarity with the parties and
 16 history of the case, the parties would benefit from first attending a further settlement conference
 17 with Justice Saitta, before they attend a mandatory settlement conference with Judge Albregts;

18 WHEREAS, the parties have reached out to Justice Saitta, and her next available in-person
 19 mediation session is October 2, 2023;

20 WHEREAS, counsel for Plaintiffs is, further, not available on September 21, 2023;

21 THEREFORE, the parties STIPULATE and REQUEST that the Court vacate the mandatory
 22 settlement conference now set for September 21, 2023, to permit the parties to first attend a further
 23 settlement conference with Justice Saitta on October 2, 2023. The parties will provide the Court a
 24 status update on the outcome of that conference no later than October 16, 2023. In the event that
 25 that settlement conference is unsuccessful, the parties will request in that status report that the Court
 26 set a date for a mandatory settlement conference with Judge Albregts. If that later conference, in
 27
 28 ///

1 turn, is unsuccessful, the parties will prepare a joint pretrial order within 30 days of the mandatory
2 settlement conference with Judge Albregts.

3 Dated: August 16, 2023

PRINCE LAW GROUP

4

5 By: /s/ Dennis M. Prince
6 Dennis M. Prince
7 Nevada Bar No. 5092
8 Kevin T. Strong
9 Nevada Bar No. 12107
10 Attorneys for Plaintiffs

11 Dated: August 16, 2023

12 McCORMICK, BARSTOW, SHEPPARD,
13 WAYTE & CARRUTH LLP

14 By: /s/ Jonathan W. Carlson
15 James P. Wagoner
16 Admitted *Pro Hac Vice*
17 Jonathan W. Carlson
18 Nevada Bar No. 10536
19 Attorneys for Defendant

20 **ORDER**

21 **IT IS SO ORDERED.**

22 Dated: August 17, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2023, a true and correct copy of **JOINT REQUEST AND STIPULATION, AND PROPOSED ORDER, TO CONTINUE MANDATORY SETTLEMENT CONFERENCE PENDING A VOLUNTARY SETTLEMENT CONFERENCE WITH RETIRED JUSTICE NANCY M. SAITTA** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Cheryl A. Schneider

Cheryl A. Schneider, an Employee of
McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP